

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7371

Investigation into the 2007 Integrated Resource)
Plan filing by the Town of Stowe Electric)
Department)

Order entered: 3/31/2011

**ORDER RE: WITHDRAWAL OF APPROVED IRP
AND MODIFICATION OF SCHEDULE**

This Docket involves an investigation into the Integrated Resource Plan ("IRP") filed by the Town of Stowe Electric Department ("Stowe"). On February 25, 2011, Stowe filed a Motion for Withdrawal of Previously Approved IRP and a Motion to Alter Schedule.

In its Motion for Withdrawal of Previously Approved IRP, Stowe observes that its previously approved IRP dates to January 17, 1996. Stowe requests that the Public Service Board ("Board") withdraw its approval of the 1996 IRP. Stowe further proposes that, upon the withdrawal of approval, it would withdraw the IRP that it filed in 2004 (which was never approved by the Board). Stowe notes that, upon the withdrawal of approval for its previous IRP, it would be left without an approved IRP. As such, review of Stowe's proposed projects and contracts under 30 V.S.A. § 248 would be governed by Board Rule 5.404(B)¹ until such time as the Board subsequently approves an IRP for Stowe.

In its Motion to Alter Schedule, Stowe states that it will be submitting a revised IRP prepared by its current power supplier, Energy New England, rather than by the Vermont Public Power Supply Authority ("VPPSA"). VPPSA had prepared the IRP for Stowe that initiated this

1. Rule 5.404(B) states:

Section 248(b)(6) Integrated Resource Plans. Any petition from an investor-owned utility, municipal electric department, or cooperative electric utility which does not have an approved integrated resource plan pursuant to 30 V.S.A. § 218c must provide evidence that its proposed project complies with principles of integrated resource planning, as defined in 30 V.S.A. § 218c, including consideration of environmental effects.

Docket, as well as preparing the IRPs for thirteen other Vermont municipal utilities. The schedule for the current docket has been coordinated with the schedules for the review of the thirteen other municipal IRPs. Stowe contends that because its revised IRP will no longer be based on VPPSA's resource planning model, there is no meaningful efficiency in continuing to coordinate its review with the reviews of the VPPSA-prepared IRPs. Therefore, Stowe requests that the schedule in this Docket be modified to allow it to file its revised IRP by June 1, 2011, and to allow the Department of Public Service ("Department") to file its recommendations on Stowe's revised IRP by July 1, 2011.

No responses were filed to either of Stowe's motions.

We grant Stowe's motion to withdraw approval of its 1996 IRP. Judging contemporary projects and contracts by reference to an outdated IRP makes little sense, and it is far more reasonable to apply the "default" standard of Board Rule 5.404(B) – i.e., compliance with the principles of integrated resource planning – until Stowe has received approval of a more up-to-date IRP. Accordingly, as of the date of this Order, the Board withdraws its approval of Stowe's 1996 IRP. Therefore, Stowe's 1996 IRP is no longer in effect, and Stowe is currently without an approved IRP.

We also grant Stowe's motion to amend the schedule for this Docket. Stowe shall file its revised IRP by June 1, 2011. The Department's recommendations on Stowe's revised IRP shall be filed by July 1, 2011.

This Docket is remanded to the Hearing Officer.

SO ORDERED.

Dated at Montpelier, Vermont, this 31st day of March, 2011.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: March 31, 2011

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)